



Citizens Clean Elections Commission Bulletin

Volume 2, Quarter 2

April 2005

Message from the 2005 Chair

Inside this issue:

Message from the Chair	1
The Act & The Commission	2
Governor Appoints New Commissioner	2
Check out our Website!	2
Recent News	3
Qualifications for Statewide Offices	4
How to Get Started	5
Topic of the Quarter	6
Commission Meeting Schedule	7

Welcome to the 2005 second quarter *Citizens Clean Elections Commission Bulletin*. The Citizens Clean Elections Commission has experienced a tremendously active second quarter. Recent precedent setting decisions made by the Commission regarding enforcement matters have been especially important to the integrity of the Clean Elections Act. It is vital that the foundation of the campaign financing system remain intact — candidates must abide by campaign finance laws or face appropriate penalties. The Commission is charged with administering *and* enforcing the Act. The foundation of the Act is to provide voters with positive change by diminishing the influence of special interest money in politics, encourage citizen participation and promote freedom of speech. In addition to enforcing the law this quarter, the Commission was able to administer a number of voter awareness related projects. One project was an independent research study that gauged the sentiments of the Clean Elections Act. The study revealed that 82 percent of Arizonans feel as though the Act is important to them. While some voters believe that the Act needs improvement, the majority of those surveyed felt that Clean Elections levels the playing field, provides an honest basis for the electoral process and reduces the influence of special interests. The Commission understands its important role as a model for campaign finance reform and will continue to administer and enforce the law that voters adopted so that Arizonans have the continued opportunity to be a part of a forward thinking system.

Sincerely,

Marcia Busching, 2005 Chair



State of Arizona
Citizens Clean Elections Commission

Contact Information:
1616 W. Adams, Suite 110
Phoenix, AZ 85007
(602) 364-3477
(602) 364-3487, fax
1-877-631-8891, toll free

This Bulletin is intended to be an informational tool used to update parties regarding the Commissions' projects and developments. If you have further questions, feel free to call the Commission directly and speak with any staff member at 1-602-364-3477 or toll free at 1-877-631-8891. As a state agency, we are here to serve you.

Participating candidates also agree to attend required debates.

Please visit the Citizens Clean Elections Commission website at **www.azcleanelections.gov** to view the latest Commission news. You may also access publications such as 2004 Annual Report, the 2005-2006 candidate timelines and the Act, Rules & Policies Manual. While you are visiting the Commission website, please take a moment to sign up to receive e-mail newsletters. If you have questions, feel free to contact Voter Education Manager, Autumn Southard, at (602) 364-3477, extension 210.

Recent News



CITIZENS CLEAN ELECTIONS COMMISSION ANNOUNCES TAX CREDITS TO REDUCE TAX LIABILITY

PHOENIX, Ariz. (March 7, 2005) - The Citizens Clean Elections Commission (Commission), a state agency that administers the Citizens Clean Elections Act, announced today a tax credit that will allow Arizona citizens to reduce their tax liability while putting money back into their pockets. Arizonans may reduce their tax liability by checking the Clean Elections Fund Tax Reduction box on their 2004 tax return.

"By donating to the Clean Elections Fund, citizens provide funding to a system that allows them to become more involved in Arizona state government," said Autumn Southard, voter education manager of the Citizens Clean Elections Commission. "The Clean Elections Act, in Arizona, has become a national model for meaningful campaign finance reform and this is a simple way for citizens to have their voice heard."

By checking the box entitled "Clean Elections Fund Tax Reduction," a citizen's tax liability is instantly reduced by \$5 (or \$10 when married and filing jointly). The box is found on the first page of every Arizona state income tax return form.

"In 1998 voters passed the Clean Elections Act, a campaign finance reform measure designed to lower the influence of special interest money in Arizona statewide and legislative political campaigns," added Southard. "The Act helps to reduce special interest money by providing full public funding to qualified candidates seeking legislative and statewide office."

CITIZENS CLEAN ELECTIONS COMMISSION UNANIMOUSLY ACCEPTS INVESTIGATIVE CONSULTANT'S RECOMMENDATIONS

PHOENIX, Ariz. (March 24, 2005) - The Citizens Clean Elections Commission (Commission), a state agency charged with administering and enforcing the Citizens Clean Elections Act, voted unanimously to accept an outside investigative consultant's recommendations in three outstanding enforcement matters involving three sitting legislators.

The Commission found reason to believe that Mr. David Burnell Smith violated A.R.S. § 16-948(C) and 16-941(A). As penalties for the violations, the Commission imposed a civil penalty of \$10,000; ordered forfeiture of office; and required repayment of \$34,625.09, which was the amount expended from the campaign account.

The Commission also found reason to believe that Mr. Ron Gould was late in reporting expenditures made in association with his campaign. A.R.S. § 16-942(B) provides for a civil penalty of \$110.00 per day for the violation of any reporting requirement imposed by Chapter 6 of Title 16. Since a period of 33 days elapsed from when the expenditure in question should have been reported to when it was actually reported, the civil penalty of \$3,630 was found to be reasonable and appropriate, by the Commission.

No violation was found in the enforcement matter regarding Ms. Pamela Gorman. The matter was terminated and closed.

For more information on the Citizens Clean Elections Commission's enforcement proceedings or background about the Citizens Clean Elections Act, please go to www.azcleanelections.gov

Thinking of running for a statewide office?

Qualifications

Every person elected to any elective office of the state shall be a qualified elector of the political division in which the person seeks election at the time of filing the nomination papers.

A qualified elector is a person who is properly registered to vote. The qualifications of a person who is properly registered to vote are all of the following:

- A citizen of the United States.
- 18 years of age or more on or before the date of the next regular general election following his registration.
- A resident of the state 29 days preceding the next election.
- Able to write name or make mark, unless prevented from doing so by physical disability.
- Has not been convicted of treason or a felony, unless restored to civil rights.
- Has not been adjudicated an incapacitated person.

Every candidate must meet basic qualifications for public office prescribed by the Arizona Constitution and Arizona Revised Statutes.

State Executive Offices: Governor, Secretary of State, Attorney General, Treasurer, Superintendent of Public Instruction

MUST BE:

- Not less than 25 years of age.
- A citizen of the United States for at least 10 years preceding the election.
- A citizen of Arizona for at least 5 years preceding the election.

Corporation Commissioner

Arizona law does not set a minimum age or length of residency requirements for a person who holds the office of corporation commissioner. The law, however, does give specific requirements for persons elected, appointed to, or holding the office of commissioner and appointees or employees of the Corporation Commission. They SHALL NOT BE:

- A person in the employ of or holding an official relation to a corporation.
- A person subject to regulations by the Corporation Commission.
- A person owning stocks or bonds of a corporation subject to regulation.
- A person who is pecuniarily interested therein.

State Mine Inspector

SHALL BE:

- A resident of the state at least 2 years prior to the election.
- Not under 30 years of age.

Qualifications for Statewide Office, continued...

- Shall have been practically engaged in, and acquainted with, mines and mining in this state.
- Shall have had at least 4 years' experience in underground mining AND;
- 3 additional years in either underground mining, smelting, open pit mining, or experience in any industry under the jurisdiction of the state mine inspector.

Exploratory Committee vs. Candidate Committee

Once an individual determines that he or she meets the qualifications to seek elective office, the next step is for the individual to determine what their next step will be.

Definitions of Committees

A Candidate Committee is a political committee designated and authorized by the candidate. A candidate must establish a candidate committee in order to qualify for the ballot.

An Exploratory Committee is a political committee that is formed for the purpose of determining whether an individual will become a candidate and that receives contributions or makes expenditures of more than five hundred dollars in connection with that purpose. This gives an individual the opportunity to raise and spend monies in order to explore the possibility of running for office without officially declaring candidacy. Once the individual makes the decision to run for office, the individual must establish a candidate committee. A candidate is not required to file an exploratory committee during the exploratory period. A candidate may maintain an exploratory committee until the candidate files nominating papers and petitions. At that time, the candidate will need to change the exploratory committee to a candidate committee.

Number of Committees

Candidate Committee: A candidate may have only one campaign committee designated for each election, however, a candidate may have more than one active campaign committee from different elections simultaneously in existence.

Exploratory Committee: An individual may have only one exploratory committee in existence at a time.

A candidate MAY NOT have an Exploratory Committee and a Candidate Committee open at the same time for the same year. For example, a candidate may not have "Southard 2006 Exploratory Committee" and "Southard 2006 Candidate Campaign Committee" open at the same time.

Topic of the Quarter

Officeholder Expense Account—Adjusted Limits

Pursuant to A.A.C. R2-20-104(F), elected officials may raise and spend money for officeholder related expenses. This rule applies to both participating and nonparticipating candidates. The intent of this rule is to allow participating candidates to raise and spend money on office related needs, and to allow nonparticipating candidates to make office related expenditures without triggering matching funds for their opponents in the 2006 election.

In order to comply with this rule, an officeholder must establish a new committee with the Secretary of State's office that is specifically designated for officeholder expenses. If you do not establish an officeholder expenses committee with the Secretary of State's office, any expenditure that you make will be considered to be directly related to your 2006 campaign. If you plan on becoming a participating candidate, this may cause you to inadvertently exceed your 2006 election cycle early contribution limits. If you plan on running a privately funded campaign in 2006, this may cause you to inadvertently trigger matching funds for your opponent. Therefore, if you plan on making any officeholder or constituent related expenses, please register your officeholder expenses committee with the Secretary of State's office.

The rule regarding the amount of money you may raise from individuals was changed by the Commission and went into effect on May 28, 2004. On March 15, 2005, the individual amount was adjusted by the Secretary of State's Office. You may now raise money by collecting \$60 from individuals (up from \$55, which was the limit from May 28, 2004—March 14, 2005) or by providing your own personal money. There is no limit to personal money contributions as long as it, combined with any individual contributions, does not exceed the spending limit. If you were a privately funded candidate during the 2004 election cycle, you may also transfer in surplus monies from other campaign accounts as long as those monies were originally from individuals, and as long as the transfer is limited to \$60 per individual contributor.

This money must be raised, spent and the benefit from the expenditure received by April 30, 2006. Any expenditure made after April 30, 2006, will be considered to be a regular campaign expenditure. If there is money remaining in your officeholder expenses account after April 30, 2006, it shall be either remitted to the Commission or not spent for the remainder of the calendar year (this applies to all candidates).

The money in the officeholder expenses account cannot be used for direct campaign purposes!

<u>Office</u>	<u>Spending Limit</u>
Governor	\$92,880
Secretary of State	\$47,640
Attorney General	\$47,640
Treasurer	\$23,820
Superintendent of Public Instruction	\$23,820
Corporation Commission	\$23,820
Mine Inspector	\$11,900
Legislature	\$5,960

Citizens Clean Elections Commission Bulletin



Volume 2, Quarter 2

April 2005



1616 W. Adams,
Suite 110
Phoenix, AZ 85007

(602) 364-3477
(602) 364-3487, fax
1-877-631-8891, toll free

Thank you very much for taking the time to read our second quarter *Bulletin*! The *Bulletin* is published once a quarter and is posted on the Commission's website.

Visit us on the Web!
www.azcleelections.gov

2005 Second Quarter Commission Meeting Schedule

Citizens Clean Elections Commission

Commissioners

Marcia Busching, Chair
Kathleen S. Detrick
Ermila Jolley
Tracey A. Bardorf
Gary Scaramazzo

Commission meetings are held in the Citizens Clean Elections Commission conference room at 1616 W. Adams in Phoenix.

Please contact the Commission or check the Commission website, www.azcleelections.gov to confirm meeting dates and times.

The Commission meeting minutes and agendas are available free of charge on the Commission website. Additionally, past minutes and agendas are posted on the website.

Upcoming Meetings

April

4/28/04

Thursday, 9:30am

May

5/26/05

Thursday, 9:30am

June

6/23/05

Thursday, 9:30am